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December 4, 1997

Secretary  
Federal Communications Commission  
1919 M Street NW  
Washington, DC 20554

Dear Secretary,

I am pleased to submit these comments to the Federal Communications Commission.

ET Docket No. 97-206

In the Matter of Technical Requirements to Enable  
Blocking of Video Programming based on Program Ratings  
Implementation of Sections of 551 (c), (d), and (e) of the  
Telecommunications Act of 1996.

I have included copies for all five of the Commissioners as well as the four required  
copies.

Respectfully,

David Walsh, Ph.D.  
President

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December 4, 1997

Before the FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

DEC 5 1997

In the Matter of  
Technical Requirements to Enable Blocking ET Docket No. 97-206  
of Video Programming based on Program Ratings  
Implementation of Sections 551 (c), (d) and (e)  
of the Telecommunications Act of 1996

The National Institute on Media and the Family (Institute) files these comments on December 4, 1997, in the FCC's Matter of Technical Requirements to Enable Blocking of Video Programming based on Program Ratings.

The National Institute on Media and the Family (Institute) is an independent not-for-profit organization with a mission to "maximize the benefits and minimize the harm mass media has on children through research and education." The Institute is non-partisan, non-sectarian and is not affiliated with any company engaged in the production or distribution of media products. Based in Minneapolis, MN it was formed to be a national resource for parents providing them with the information enabling them to make wise media choices for their children.

The Institute does not advocate censorship of the media in any way. Our goal is to protect children while honoring the First Amendment of the U.S. Constitution.

We believe the intent of the Telecommunications Act of 1996 is to protect children by limiting the harmful influence of negative media content on them. Thus, the best informational and technological tools available should be put in parents' hands.

We believe the way to do this is to develop technology that will give parents a choice of media rating systems, the so-called "open platform." Your decisions on the technology specifications at this point are crucial because they will dictate the options open to parents for many years to come. A decision for a "closed platform" would foreclose the availability of other options.

Multiple rating systems are in this nation's tradition of having the free market decide which rating system works best. A "closed platform" allows only one system and is *de facto* a government endorsement of a programming monopoly, i.e. the television industry's point of view. This is the equivalent of mandating that the fox be the only guard of the chicken coop.

We believe that several rating systems are needed to give parents the best means of controlling their children's viewing and would provide the necessary competition to keep the various systems "honest."

This view has been forcefully endorsed by the coalition of Medical and Health Organizations led by the American Medical Association. Those seven organizations issued a statement on February 26, 1997 saying, "it is imperative that no regulatory or legislative limit be created that would preclude the technological opportunity for an alternative system to be broadcast in addition to the industry's rating system if the public desire a choice in the future."

We hope that one of the systems available to parents is the KidScore™ rating system we have developed at the National Institute on Media and the Family.

The KidScore™ rating system was developed over a two-year period with input from parents and experts every step of the way. In 1995 we began interviewing parents. We asked them to tell us what their ideal rating system would look like. We then built the KidScore™ system to meet their specifications. This is what American parents told us they wanted.

1. **Independent.** KidScore™ ratings are done by panels of parents who have no connection with the media industry.
2. **Children's Welfare First.** KidScore™ ratings are done by parents and professionals who know a great deal about children and have their welfare as the first priority.
3. **Reliable.** The KidScore™ rating system was revised dozens of times until it measured up to scientific standards.
4. **Content and Amount.** The content categories parents wanted include violence (amount), violence (portrayal), sexual content, nudity, crude language, fear, and illegal/harmful behavior. The "go," "caution," and "stop" symbols indicate three levels, i.e. how much violence, crude language, etc. is in a particular show.

The KidScore™ rating system was market tested by an independent research firm with 600 randomly selected parents from all socioeconomic groups and from all regions of the country. 94% thought the ratings were accurate, 88% thought KidScore™ ratings were easy to understand, and 94% said they would use them if they were available. In

October, 1997 entertainer Bill Cosby described KidScore™ as a “wonderful innovation. I hope parents will take full advantage of this information.”

A key consideration is, of course, technical feasibility. First of all, can multiple systems be accommodated on line 21 of the VBI. Secondly, if multiple systems are feasible, can a multi-category / multi-level system be designed in a practical user-friendly way.

Richard Leghorn, President of the Children’s Television Consortium, d.b.a. OKTV™ has addressed the technical feasibility of a multi-category/multi-level rating system in comments to the FCC on April 8, 1997, May 8, 1997 and on July 7, 1997. His research shows that such systems can be accommodated on line 21 of the VBI. He further outlines how such a system would work to give parents’ different options for use. We have had extensive discussions with the staff of OKTV™ and are considering the possibility of an organizational joint venture to combine our efforts to provide a viable alternative for parents and other caregivers.

The KidScore™ rating project is not a theoretical model. It is already operational. Our pool of raters is currently rating 60 shows per month. Those ratings are available through our website and through the *Cornerstones* magazine. Clearly, the information would be much more useful if it were broadcast in real time on line 21.

This description of the KidScore™ project is not to suggest it is the only or the best alternative. It is to advise the Commissioners that alternatives are available. Our position is that it should be the public’s decision as to which system works best for them

and for their children. Parents will only have that decision if the FCC directs the design of the "open platform" structure.

Mass media, especially television, have become powerful shapers of children's minds. The impact on children's thoughts, feelings, attitudes, values, and behavior is increasingly obvious to parents and well documented by scientific research. American children today spend more time watching television than any other activity of their waking lives. By the time they graduate from high school they will have spent twice as much time watching television than in the classroom.

*Whoever tells the stories defines the culture.* It is important that parents and other caregivers make informed and wise choices about the stories that shape their children's attitudes and values. We are at an important juncture in deciding for future generations the type and quality of information available for those choices. A decision by the FCC for an "open platform" would be an important step in turning control and responsibility back to parents.

Respectfully submitted by:

A handwritten signature in black ink, appearing to read "David Walsh", written in a cursive style.

David Walsh, Ph.D., President

National Institute on Media and the Family

606 24<sup>th</sup> Ave. South

Minneapolis, MN 55424

## **Appendix**

### **Sample of KidScore™ Ratings**

# New ratings system gets Cosby's thumbs-up

Comedian **Bill Cosby** stamped his approval on new entertainment-rating system Tuesday night at a gathering at the Minneapolis Convention Center.

The "KidScore" system, developed by Twin Cities psychologist **David Walsh**, is more detailed than anything the broadcast TV networks have devised, and it also covers other kid-oriented media, such as movies and video games. Updated ratings will appear in *Cornerstones*, a monthly magazine, published by the Aid Association for Lutherans.

Cosby poked fun at the TV industry's ongoing reluctance to acknowledge programming's effect on viewer behavior.

"The networks say they don't influence anybody," he said. "If that's true, why do they have commercials? Why am I sitting there with Jell-O pudding?"

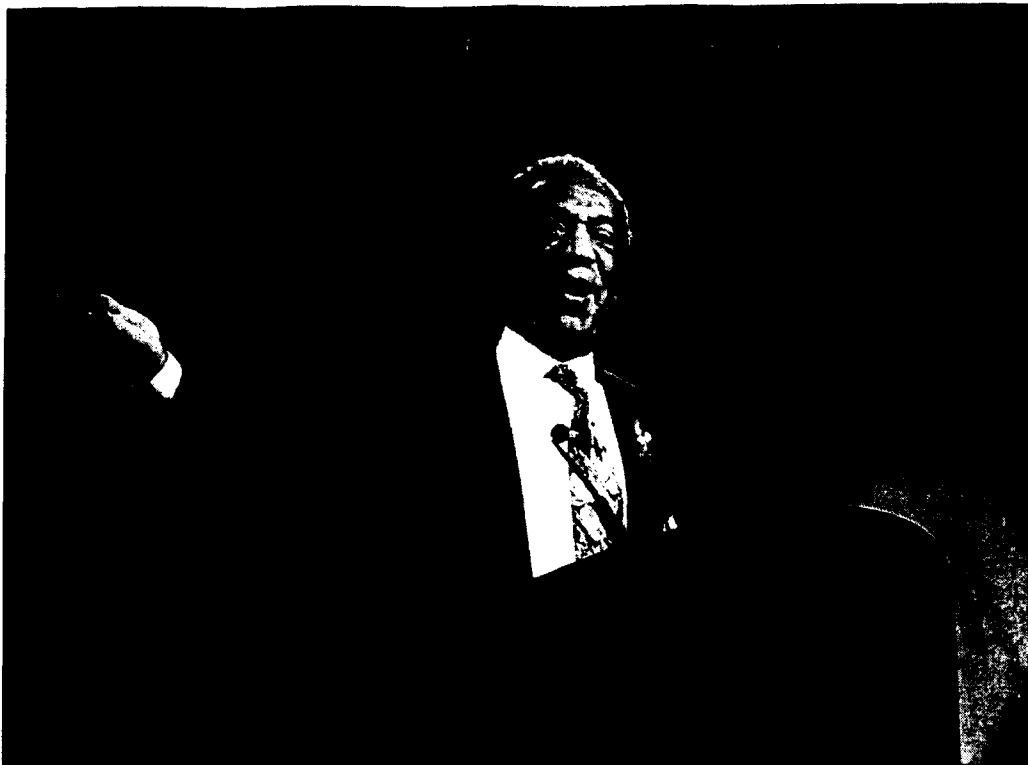
Cosby challenged the 1,500 or so people who attended the KidScore presentation to become "agents of change" through their TV choices.

"If there's violence and sex [in a program], it's because you turn it on," he said.

— **Noel Holston**

**STAR TRIBUNE**

MINNEAPOLIS, MN  
WEDNESDAY 412,482  
OCT 8 1997



Star Tribune Photo by Rita Reed

**Bill Cosby was on hand Tuesday in Minneapolis to endorse the "KidScore" media rating system. "The networks say they don't influence anybody," he said. "If that's true, why do they have commercials?"**

## Cosby challenges parents over TV

MINNEAPOLIS (AP) — Bill Cosby is challenging TV viewers to think before they let their children watch — even his own commercials.

"The networks say they don't influence anybody," he said. "If that's true, why do they have commercials? Why am I sitting there with Jell-O pudding?"

Cosby spoke Tuesday to about 1,500 people who gathered to hear about a new ratings system, "KidScore." It was developed by psychologist David Walsh, who founded the Twin Cities-based National Institute for Media and the Family last year to monitor the media's effect on children.

The system rates film, video games, CD-ROMS, CDs, Internet sites and television and will be published monthly in *Cornerstone*, the magazine of the Aid Association for Lutherans. The rating system was not meant to compete with Hollywood's efforts to rate programs, Walsh said last year.

Cosby said viewers themselves bear responsibility for the content of the shows they watch.

"If there's violence and sex, it's because you turn it on," Cosby said.



## What Do the Categories Mean?

**Fear**—Parents want to know if the show or game causes fear in children. Examples would include gory scenes, exaggerated scenes of pain and suffering, and very scary scenes.

**Violence Portrayal**—If there is violence, this category measures how it is portrayed. A green light means it is necessary for the story and isn't exaggerated. A yellow or red means the violence is unnecessary and/or glamorized. There's a big difference, for example, in the portrayal of violence in a film about the death of Christ and violence in a film such as *Die Hard*.

**Violence**—Actions intended to hurt someone. Things such as biting, kicking, punching, using weapons, animated violence, or throwing things at people would be included.

**Illegal/Harmful**—Does the show or game encourage behavior which is illegal or dangerous? A scene in the movie *The Program*, for example, showed high school boys lying in the middle of a busy highway to prove their bravery. In the following week there were several deaths from teenagers imitating the movie.

**Language**—This category captures crude or obscene dialog as well as sexual innuendo or sexually explicit language.

**Nudity**—Examples include revealing dress as well as partial or full nudity.

**Sexual Content**—Sexual dialog is picked up in the language category. This category deals with sexual behavior.

TITLE	RATING	DESCRIPTION	AGES 3-7	AGES 8-12	AGES 13-17	Violence Level	Violence Portrayal	Sex	Sexual Language	Language	Nudity	Sexual Content	Comments
The Last World	PG-13	Scientists go to an island to capture dinosaurs without authority and another group goes to preserve them. They end up fighting one another and the animals.	●	●	●	●	◆	●	◆	●	●	●	This is not recommended for children because it contains a lot of violence and has many scary scenes.

### A KidScore Rating in Action—*The Lost World*.

Let's see how a KidScore rating works. Here's the KidScore rating for the Steven Spielberg thriller *The Lost World*.

This movie gets a red "stop" for 3- to 7-year-olds and for 8- to 12-year-olds. A glance at the categories quickly

reveals the reasons. There is a great deal of violence, and it has many very scary scenes. The violence is not overly glamorized. There are no significant concerns in the categories of language, sex or nudity.

### How KidScore Ratings Are Done.

Panels of at least five trained raters independently view the show or game in the media lab located at the National Institute on Media and the Family. They then complete the special rating form. The ratings are averaged and translated by formula to the green, yellow and red

symbols. The results are made available exclusively to members of the Cornerstone Club.<sup>TM</sup>

### KidScore Ratings Don't Tell Parents What to Do.

Parents know their own children. KidScore ratings provide information to parents so they can make informed

decisions about the media their children are viewing. The better the information, the better the decisions. Members of the Cornerstone Club have access to the most complete information done by parents for parents and other caregivers.

*Continued on page 8.*

## What Do the Symbols Mean?

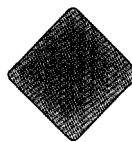
We knew from our research that parents and other caregivers wanted a lot of information, but wanted it in a quick and easy-to-understand format. So we held a contest. We asked different graphic artists to come up with design options to convey the information quickly and easily. We asked parents all over the country which worked best. The hands-down winner was the green, yellow and red traffic symbols because they are so universally understood.

KidScore™ ratings are not evaluations of artistic or entertainment value. They are the compilations of the judgements of the panel of raters about the content of the program in various categories. The raters also rate it for age appropriateness. Sometimes you might see a lot of green lights in the content areas, but a yellow or red light for an age group. That means that although there is no harmful content, the theme of the show is not appropriate for that age group.

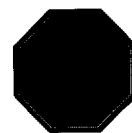
## Here's a short guide to use the signals.



**Green—Proceed!** The raters found no or very few instances of material for that category.



**Yellow—Caution!** The raters found some instances of material in this category.



**Red—Stop!** The raters found a lot and/or some very intense instances of material in this category.

# Ratings by People Like You.

*It's important to understand that the media ratings you see within Cornerstones are actually scored and written by people just like you. While the KidScore™ methodology was developed by David Walsh and the National Institute on Media and the Family (NIMF), the ratings themselves are conducted by other people who've been carefully selected by the NIMF to provide an objective viewpoint. Here are some insights into the people who conduct the ratings.*

## A Mom Finds a Time-Saving Tool.

Sue Hasskamp just recently began rating for NIMF. "I was part of a group of five parents who were looking at a few broadcast sitcoms and some cartoons." She has been married for twenty years and is a mother of 14- and 12-year-old boys. Professionally, she works full-time for a hospital and healthcare services organization in the insurance area.

Sue appreciates the approach that NIMF takes, saying, "It's not like they're

saying that this is a great show to watch, and this isn't a great show. Rather than a strict rating, it gives you an idea of what other parents just like us see as the program's content.

"It's a very interesting process and the outcome is so valuable for parents everywhere to get a better understanding of what is out there in various shows, et cetera. As a parent I've found this has helped me evaluate the shows I want my kids to see. And if they're going to be watching something, should I be sitting with them? I may need to explain certain things, make some comments and give my input.

"Recently I went through a real situation like this. It was just before the movie *Air Force One* came out, and my sons were just dying to go and see it. But I couldn't determine why this movie was rated 'R'.

As it turned out, my youngest son broke his hand and was getting bored, so I wanted to buy him the book to keep him busy. I even went out on the Internet trying to find any kind of real indication if this was something where the violence or language was so graphic that I shouldn't even offer him the book to read. We rarely have the time to read a book before we can hand it to him. These ratings are really an added tool to make these decisions and just that much more help to parents."

## A Reborn Interest in Kids' Programming.

"The family unit is very important to me," says Lowell Van Berkorn, a father of five adult children. His youngest are twins at age 26, which makes him a grandfather to many more. "Having the little ones around again, we've been reenergized about the importance of what they watch."

Currently the director of a forensic science laboratory, Lowell Van Berkorn has performed the NIMF ratings for over two years because of an interest in helping inform parents on being aware of what to let their children watch. "I realized that parents

sometimes don't have the information they need to make the right decisions. When I got into this NIMF program, I was impressed with the rating format because it does provide parents with more information to know what it is that makes this program something their children should watch or not.

"While I thought I was quite a student to start with, I became more aware of things to look for in movies. In some cases, there's no nudity or strong language in a piece, though it's important to assess other messages portrayed such as violence."

Lowell doesn't claim to be a film critic but attests that his training is as a parent and a professional. "All of my kids are now college graduates, and I am quite proud of the contributions they are making to society . . . and I think that it's partly because of the guidance they've had as a family."

Mr. Van Berkorn served as president of the PTA while his kids were in grade school and high school. His wife took over as PTA president in the junior high years. "My wife and I have also made a big point of having the evening meal together with the family. It's an opportunity to communicate and preserve the family unit."



*There are many good media products available that provide good family entertainment. These are some of my favorites.*

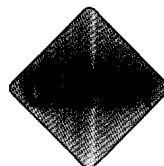
Home Video	<i>The Secret of Roan Inish</i> In this heartwarming story set in Ireland, a small boy is saved and protected by a seal and returned safely to his family.
	<i>Touched by an Angel</i> Three angels are sent by God to help people deal with a variety of problems.
Video Game	<i>Mario Kart 64</i> A go-cart racing game.
Computer Game	<i>Purple Moon: Secret Paths Through the Forest</i> This game is designed for 8- to 12-year-old girls and helps them sort through issues like friendship and feelings.
Web Site	<i>Bill Nye the Science Guy</i> Science is presented in a fun and interesting way. The address is <a href="http://nyelabs.kcts.org">http://nyelabs.kcts.org</a>

**Media Building Block** Turn off the TV during mealtimes. Use this time to catch up with one another.

For more information on the National Institute on Media and the Family, see their Web site at <http://mediaandthefamily.org> or call 888-672-5437 or (612) 672-5437 from the Twin Cities area.

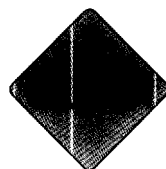
# TV Reviews

	RATING	DESCRIPTION	AGES 3-7	AGES 8-12	AGES 13-17	VIOLENCE		FEAR	ILLEGAL/ HARMFUL	LANGUAGE	NUDITY	SEXUAL CONTENT	SUMMARY
						AMOUNT	PORTRAIT						
3rd Rock From the Sun	TVPG	This sitcom portrays aliens from outer space as they observe our culture.	●	◐	●	◐	◐	●	●	◐	●	●	Slapstick violence and sexual innuendo are frequent in this sitcom.
Allegra's Window	TVY	This children's show features puppets and muppets.	●	●	●	●	●	●	●	●	●	●	This show is appropriate for all ages.
Bill Nye, the Science Guy	Not Available	This is a children's show designed to make learning science fun.	●	●	●	●	●	●	●	●	●	●	This show is appropriate for all ages.
Blue's Clues	TVY	This is a children's adventure show which focuses on educational lessons.	●	●	●	●	●	●	●	●	●	●	This show is appropriate for all ages.
Bobby's World	TVY	This animated show is about a young boy and his family.	●	●	●	●	●	●	●	●	●	●	This show is appropriate for all ages.



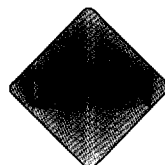
KidScore™ ratings are not evaluations of the artistic or entertainment value of the products we rate. They represent a compilation of the evaluative opinions of a panel of raters who have viewed this media product. The universal symbols of "caution," and "stop" are used to graphically portray their opinions. "Stop" does not necessarily mean your child should not view the product. Parents are encouraged to use their own judgement.

	RATING	DESCRIPTION	AGES 3-7	AGES 8-12	AGES 13-17	VIOLENCE AMOUNT	VIOLENCE PORTRAYAL	FEAR	ILLEGAL/ HARMFUL	LANGUAGE	NUDITY	SEXUAL CONTENT	SUMMARY
Boy Meets World	TVG	This television show is about the life of an adolescent boy and his personal relationships.	●	●	◊	●	●	●	◊	◊	●	◊	Due to the harmful behavior, language and sexual content in this show, it is not recommended for children.
Cosby	TVPG	This sitcom is about the lives and times of an African-American family.	●	●	●	●	●	●	●	●	●	●	This show will at times deal with adult themes that are not of interest or appropriate for young children. The treatment of these adult themes is done appropriately.
Cybil	TVPG	This sitcom is about a struggling middle-aged actress and her extended family.	●	◊	◊	●	●	●	●	◊	●	●	Due to adult themes in this sitcom, it is not recommended for children, and caution should be exercised for teenagers.
Dr. Quinn-Medicine Woman	TVG	This is a drama about a doctor and her family set in the old American West.	◊	●	●	◊	◊	●	◊	●	●	●	Due to some violent content, caution should be exercised for young children. It is appropriate for older children and teens.
Ellen	TVPG	This show depicts the life of a single adult woman.	●	◊	◊	●	●	●	◊	◊	●	●	Due to the adult themes in this sitcom, it is not recommended for children, and caution should be exercised for teenagers.

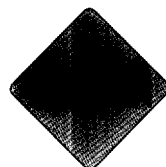


# TV Reviews

	RATING	DESCRIPTION	AGES 3-7	AGES 8-12	AGES 13-17	VIOLENCE AMOUNT	VIOLENCE PORTRAYAL	FEAR	ILLEGAL/ HARMFUL	LANGUAGE	NUDITY	SEXUAL CONTENT	SUMMARY
ER	TVPG	This is a series depicting events in an emergency room and in the lives of the hospital staff.	●	◊	●	●	●	●	●	◊	●	●	This show is not recommended for children because of the realistic portrayal of adult themes and situations.
Frasier	TVPG	This is a sitcom about a therapist with a radio talk show and his family.	●	◊	●	●	●	●	●	◊	●	●	Parents should use caution because of occasional use of coarse language and put-downs.
Friends	TVPG	This sitcom portrays the lives and relationships of young adult friends.	●	●	◊	●	●	●	●	●	●	◊	Many instances of sexual innuendo make this show inappropriate for children.
Gargoyles	TVY	An animated series where the Gargoyles, who represent good, overcome evil.	●	◊	●	◊	●	◊	◊	●	●	●	Due to frequent use of animated violence, this show is not recommended for children.
Gullah Gullah Island	TVY	This is a children's show about kids and families from diverse cultures.	●	●	●	●	●	●	●	●	●	●	This show is intended for children and is appropriate for all ages.



	RATING	DESCRIPTION	AGES 3-7	AGES 8-12	AGES 13-17	VIOLENCE AMOUNT	PORTRAIT	FEAR	ILLEGAL/ HARMFUL	LANGUAGE	NUDITY	SEXUAL CONTENT	SUMMARY
Hey Arnold	TVY	This show is a series about a boy and his pet pig.	●	●	●	●	●	●	●	●	●	●	Appropriate for all ages.
Home Improvement	TVPG	This television show is about the life of a television personality and his family.	◆	●	●	●	●	●	●	◆	●	●	Put-downs and sexual innuendo are frequently used in this sitcom.
JAG	TVPG	Fighter pilots investigate military incidents.	◆	●	●	●	●	◆	●	●	●	●	True-to-life plane crashes may cause fear in young children.
Mad About You	TVPG	This is a comedy about a couple and their relationships with friends and family.	◆	●	●	●	●	●	●	●	●	●	This show contains adult themes that would not be appropriate for young children.
Magic School Bus	Not Available	This is an animated educational adventure. It takes place in prehistoric times and various geographic locations.	●	●	●	●	●	●	●	●	●	●	This show is appropriate for all ages and is of greatest interest to preschool and school age children.



# TV Reviews

	RATING	DESCRIPTION	AGES 3-7	AGES 8-12	AGES 13-17	VIOLENCE AMOUNT	VIOLENCE PORTRAYAL	FEAR	ILLEGAL/ HARMFUL	LANGUAGE	NUDITY	SEXUAL CONTENT	SUMMARY
Men Behaving Badly	TVPG	This sitcom portrays male roommates and their relationships with women.	●	●	◐	●	●	●	●	●	●		Heavy emphasis on sexual themes and use of sexual innuendo.
NYPD Blue	TV14	This drama is about the New York City police department as seen through the eyes of homicide detectives.	●	●	●	◐	◐	●	◐	●	●	●	This adult-oriented drama depicts life on the streets and contains a great deal of violence and coarse language which is not appropriate for young children.
Rugrats	TVY	This animated show is about a platoon of babies who enjoy various adventures in their neighborhood.	◐	●	●	◐	◐	●	●	●	●	●	This show contains animated violence and should be viewed with caution by young children.
Sabrina, The Teenage Witch	TVG	This is about the life and difficulties of a teenage witch.	◐	●	●	●	●	●	●	●	●	●	Due to the teenage themes in this show, it should be viewed with caution by children ages 7 and under.
Seinfeld	TVPG	Events in the life and times of a single man and his friends.	●	●	◐	●	●	●	●	◐	●	◐	Some episodes contain a great deal of sexual innuendo and content which may be inappropriate for children.

